

OPEN SPACE COUNCIL
April 6, 2018
9:00 a.m.
Legislative Hall
Senate Hearing Room, Second Floor
Dover, Delaware

ATTENDANCE

Council Members:

John R. Schroeder, Chairperson
Rep. Gerald Brady
Paul Boswell, Esq
Lorraine M. Fleming
Wayne Holden
David Humes
Dorothy Leventry

Ex-Officios:

Raymond E. Bivens, State Liaison Officer, LWCF, DNREC
Michael Scuse, Director, DDA

Staff:

Tim Slavin, Director, HCA
Matthew Chesser, Administrator, Parks & Recreation, DNREC
Robert Ehemann, Manager, Parks & Recreation, DNREC
Elena Stewart, Parks & Recreation, DNREC
Craig Rhoads, Fish & Wildlife, DNREC
Michael Valenti, State Forestry Administrator, DDA
Kyle Hoyd, Manager, DDA
Bill Miller, Parks & Recreation, DNREC
Eric Reid, Intern, Parks & Recreation, DNREC
Karen Bennett, Manager, Fish & Wildlife, DNREC

Visitors:

Dan Griffith, Archeological Society of Delaware
Ron Vickers, Citizen
Dennis Reardon, City of Lewes
Doug Spelman, City of Lewes
Bonnie Osler, Lewes City Council
Gina Jennings, Sussex County
Nick Roth, Cape Gazette
Jessica Hammond, TNC

I. Call to Order/Introductions/Announcements

John Schroeder, Chairperson, called the April 6, 2018 Open Space Council (OSC) meeting to order. He welcomed Council members, staff and visitors.

II. Minutes of December Meeting

Lorraine Fleming noted that on page 3 of the minutes, it was stated that she attended the Ecological Extinction Task Force meeting, which she did not. Elena Stewart made note of this change. There was a motion to otherwise approve the December minutes, which was unanimously approved.

III. Financial Report

Elena presented the financial report:

Open Space Program Fund Outlook			
4/6/18			
Current Funds			
Realty Transfer Tax	3/28/2018	\$4,159,372.18	
Groome Church	12/6/2017	\$1,000,000.00	exp 4/6/18
Felician Sisters	12/6/2016	\$250,000.00	exp 1/17/18
Garrett Snuff Mills Property	12/6/2017	\$7,000.00	
Whitehead	12/6/2017	\$10,000.00	
ABC Woodlands (DFS)	12/6/2017	\$2,000,000.00	
JGR, LLC (NVF)	12/6/2017	\$300,000.00	
Selby	12/6/2017	\$425,000.00	
McClements	12/6/2017	\$1,000.00	
Total		\$3,993,000.00	
Balance Available Through 12/15/18	\$166,372.18		

IV. Old Business

A. Completed projects

1. Mispillion Harbor Properties, Mispillion Preserve, F&W – Craig Rhoads shared that the Hoch Property had been finalized; however, they were still working on the 2 properties on the southeast corner of the project which would be discussed in Executive Session.
2. Manwearing Property, Blackbird Creek Preserve, F&W – Craig shared they had settled on the property and were in the process of removing the buildings on site.
3. Sinclair Property, Tappahanna Wildlife Area, F&W – Craig reported that they had settled on the property.

V. New Business

- A. Council Open Discussion
None
- B. Public Comments

Doug Spellman, New Road Preservation Alliance, shared they had 1200 signatures on petitions to preserve the Groome Church property, which would be distributed to Groome Church, Government Agencies and to the Governor. He spoke to how important it is to preserve the artifacts and history on site, which dates back to the 1600s. He also spoke to how environmentally sensitive the area is and how crucial it is to mitigate flooding. He asked the OSC to consider maintaining the funds which had been set aside for the Groome Church property.

Gina Jennings, Sussex County Finance Director, shared that the County was still willing to contribute money to the preservation of the Groome Church property.

Dennis Reardon, City of Lewes, said that the City was still very interested in preserving the Groome Church property and was still prepared to put \$500,000 towards keeping it open space. He also asked the OSC keep the \$1M earmarked for the project.

Ron Vickers, citizen of the City of Lewes, shared a handout and did a presentation with Dan Griffith on the history of the Groome Church property and surrounding lands. The handouts are included as an addendum to these minutes.

Tim Slavin spoke about the involvement of HCA with the community and offered up additional technical assistance if needed. He also said that HCA was still willing to hold a property interest in the Groome Church property if OSC was going to be involved.

Jessica Hammond, TNC, spoke up regarding TNC's support of protecting the Groome Church property and surrounding areas.

Elena reminded all in attendance that the Groome Church project, as approved by the OSC, was using State funds to protect a small piece of the Groome Church property, not the entirety of the undeveloped lands that make up the Great Marsh area.

Bob Ehemann posed the question of whether the appraisals done on the property took into account the portions of the property that could not be developed if significant archeological remains were found. Ron clarified that when he was in his role as manager of the Land Preservation Office, that the appraisals he got on the property took into several other considerations; however, not archaeological ones.

Wayne Holden posed the question of whether there were any foundations that could assist in preserving the Groome Church property. He commented that the archeological history was extremely valuable and could stand on its own merits and thought that may be the key to protecting the property. Wayne brought up the Dorris Duke Charitable Foundation's grant program as a potential option.

Dan Griffith responded that the Archaeological Conservancy had been contacted but they were working on a property in Kent County currently although they were interested in the Groome Church property as well. He stated that there may be other Delaware foundations that could help.

Lorraine asked if archaeological foundations allow public access if they purchased the property, to which Dan responded they would not.

VI. Executive Session

A. Discussion of Site Acquisitions

VII. Open Session

A. Council Project Recommendations

1. Wolfe Neck Waste Water Treatment Plant (WWTP), Cape Henlopen State Park, Parks and Recreation - Lorraine made a motion to approve up to \$5,000 for a survey for a wooded parcel that Sussex County would like to donate to Parks adjacent to the WWTP. David Humes and Dorothy Leventry seconded the motion and it was unanimously approved.
2. Mispillion Harbor Properties, Mispillion Preserve, F&W –Lorraine expressed concern about using OSC funds for property that could receive grant funding. Craig assured the OSC that F&W would do everything they could to secure grant funding prior to using the OSC funds. Wayne made a motion to approve up to \$1.665M for the acquisition of the remaining parcels, which was seconded by Dorothy and unanimously approved.
3. Groome Church Property, HCA – Wayne made a motion to hold over the \$1M set aside for the portion of the Groome Church property that HCA has committed to funding until the July 20, 2018 meeting at which there needs to be a contract for the entirety of the property that is acceptable to all and acknowledging this encumbrance is contingent upon funding. Dorothy seconded the motion and it was unanimously approved.

Next Meeting Date/Adjournment

The next meeting of the Open Space Council is scheduled for July 20, 2018 in Legislative Hall, Second Floor, Senate Hearing Room, Dover, DE 19901, starting at 9:00 a.m. Bill Miller shared that Parks was working on a master plan for White Clay Creek State Park and Open Houses will begin being organized late summer and encouraged all to attend.

John thanked everyone and asked for a motion to adjourn.